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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DORT, DAVID BOGART.
APPLICATION No.: 10/803,472
FILED: MARCH 17, 2004
FOR: EXTERNALLY CONTROLLED NON-
NEGATGIVE ACCELERATION

EXAMINER:
ART UNIT:
CONF. No:
DOCKET No. VRBA.P014.A

**Information Disclosure Statement Within Three Months of
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

CERTIFICATE OF TRANSMISSION 37 CFR 1.8(a)

I hereby certify that this correspondence and all attachments are being transmitted to the USPTO at central fax number 703-872-9306 on this 21st day of October, 2004.

Date: October 21, 2004

By: 

David Bogart Dort

Mail Stop: Disclosure

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

1. **Timing of Submission**

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

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2. Cited Information

Copies of the following references are enclosed:

All cited references
 References marked by asterisks
 The following:

Copies of the following references can be found in parent U.S. Application No. 10/786,177, filed February 23, 2004, and contained therein.

All cited references
 References marked by asterisks
 The following:

This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).

The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

All cited references
 References marked by ampersands
 The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

The Applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

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Applicant further submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):

In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or

In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-3068 (VRBA.P014.A).

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
DORT CLOSE IP LAW GROUP
p.c.


10,213

David Bogart Dort
Registration No. 50,213

Date: October 21, 2004
Washington, DC

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